

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-5 are pending in the application, with claim 1 being the independent claim. Claims 6-11 are cancelled without prejudice to or disclaimer of the subject matter therein. These changes are believed to introduce no new matter, and do not raise issues requiring further consideration. Therefore, their entry after final rejection is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Objections to the Drawings

The formal drawings were objected to for not showing the helical slits in FIG. 5 as shown in the original drawings filed with the application. The attached revised drawing sheet includes FIG. 5 with the helical slits.

Claim Objections

Claims 2 and 3 were objected to for use of chemical product names in the claims. These chemical product names are known to those of ordinary skill in the art. As such, the chemical names have been added to the specification without adding new matter. The claims have been amended appropriately.

Rejections under 35 U.S.C. § 102

Claims 1 and 3-5 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Application Publication No. 2002/0082549 to Duchamp. Applicants submit

herewith a Declaration Under 37 C.F.R. § 1.131, including copies of relevant notebook pages showing testing of the devices falling within the scope of the claims, establishing a reduction to practice prior to the December 21, 2000 filing date of the Duchamp application. Accordingly, the Duchamp publication is not prior art to the present application. The Declaration was not filed prior to the final rejection because the Duchamp application was first relied upon by the Examiner in the final Office Action. Because the Duchamp application is not prior art to the present application, Applicants respectfully request that the rejection be withdrawn.

Rejections under 35 U.S.C. § 103

Claim 2 was rejected under 35 U.S.C. § 103(a) as being unpatentable over the Duchamp application. As explained above with respect to the section 102 rejection, the Duchamp application is not prior art to the present application. Applicants therefore respectfully request that the rejection be withdrawn.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

GUINAN *et al.*
Appl. No. 09/881,080

Prompt and favorable consideration of this Amendment and Reply is respectfully
requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read 'A. Ferro', is written over a horizontal line.

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